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REMARKS

Claims 15-23 are now pending in the application. Claim 15 has been amended to more particularly define the invention. Claims 1-14 have been canceled in the interest of expediting prosecution.

It is noted that the amendment to claim 15 only makes explicit that which was implicit in the claim, and is not made to distinguish the invention over the prior art or narrow the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 15, 22, and 23 were rejected under 35 U.S.C. §102(e) as anticipated by Kaschke, United States Patent No. 5,999,821. (It is noted that the Office Action says that this rejection is based on “Kaschke (5,99,821).” It is understood that “Kaschke (5,999,821)” was intended. If this is not correct, clarification is requested.) Claims 16 and 19 were rejected under 35 U.S.C. §103(a) as unpatentable over Kaschke in view of Azima, United States Patent No. 6,332,029. Claims 17, 18, 20, and 21 were rejected under 35 U.S.C. 103(a) as unpatentable over Kaschke in view of Azima and Porrazzo, United States Patent No. 5,872,855. These rejections are respectfully traversed.

An exemplary embodiment of Applicant’s invention, for example as set forth in claim 15, includes a main body, a display disposed on the main body for displaying information, a plate member having a transparent central section overlying the display and a colored section adjacent the transparent central section and positioned other than overlying the display, and a

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driving unit connected to the colored section of the plate member for vibrating the plate member to cause the plate member to create sound in response to an audio signal.

Kaschke concerns a radiotelephone. Figure 3 of Kaschke discloses that the radiotelephone includes a user interface module 102, an electronic display 328 disposed on the user interface module for displaying information, and a membrane sheet layer 302 overlying the user interface module. A display aperture 320 extends through membrane sheet layer 302 over display 328, permitting the user to view the display through display aperture 320. An earpiece electroacoustic transducer 322 is positioned beneath an earpiece acoustic aperture 316 that extends through membrane sheet layer 302. Electroacoustic transducer 322 creates sounds in response to an audio signal, and the user hears the sounds through the earpiece acoustic aperture 316. See Kaschke at column 3, lines 1-2, 10-14, 16-18, and 32-37, and column 4, lines 11-14.

Thus, Kaschke does not show or suggest a plate member having a transparent central section overlying the display. Likewise, Kaschke does not show or suggest a driving unit connected to a colored section which is adjacent the transparent central section, with the driving unit vibrating the plate member to cause the plate member to create sounds in response to an audio signal.

It is accordingly submitted that Kraschke does not anticipate or make obvious independent claim 15 or any of its dependent claims 16-23.

In view of the foregoing, Applicant submits that claims 15-23, all the claims presently pending in the application, are patentably distinct over the prior art of record and are

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pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

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Respectfully Submitted,


James N. Dresser, Esq.
Registration No. 22,973

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254